

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAN STEVENS, AN INDIVIDUAL, AND DEBORAH STEVENS, AN INDIVIDUAL,

No. C 14-2709 YGR

Plaintiffs,

V.

**US BANCORP, A DELAWARE CORPORATION; AND
DOES 1-100, INCLUSIVE**

**ORDER REFERRING
CASE TO ADR UNIT
FOR ASSESSMENT
TELEPHONE
CONFERENCE**

Defendants.

12 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this
13 foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone
14 conference to assess this case's suitability for mediation or a settlement conference. Plaintiffs and
15 Defendant's counsel shall participate in a telephone conference, to be scheduled by the ADR Unit
16 as soon as possible but no later than **July 29, 2014**.

Plaintiffs' and Defendants' counsel shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents.
- (2) Prospects for loan modification.
- (3) Prospects for settlement.

The parties need not submit written materials to the ADR Unit for the telephone conference.

In preparation for the telephone conference, Plaintiffs shall do the following:

- (1) Review relevant loan documents and investigate the claims to determine whether they have merit.
- (2) If Plaintiffs are seeking a loan modification to resolve all or some of the claims, Plaintiffs shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a

1 loan modification request. Further, Plaintiffs shall immediately notify
2 Defendant's counsel of the request for a loan modification.

3 (3) Provide counsel for Defendant with information necessary to evaluate the
4 prospects for loan modification, in the form of a financial statement,
5 worksheet or application customarily used by financial institutions.

6 In preparation for the telephone conference, counsel for Defendant shall do the following.

7 (1) If Defendant is unable or unwilling to do a loan modification after receiving
8 notice of Plaintiffs' request, counsel for Defendant shall promptly notify
9 Plaintiffs to that effect.

10 (2) Arrange for a representative of Defendant with full settlement authority to
11 participate in the telephone conference.

12 The ADR Unit will notify the parties of the date and time the telephone conference will be
13 held. After the telephone conference, the ADR Unit will advise the Court of its recommendation
14 for further ADR proceedings.

15 **IT IS SO ORDERED.**

16 Date: July 11, 2014


17 YVONNE GONZALEZ ROGERS
18 UNITED STATES DISTRICT COURT JUDGE